

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: JOHN

In re Application of:)
DETLEF JOHN & STEFAN BUTENKEMPER)
Appl. No.: 10/700,012) Examiner: Muromoto Jr. R.
Filing Date: November 3, 2003) Group Art Unit: 3765
For: WIRE CLOTH) Confirmation No: 3679

AMENDMENT ACCOMPANYING THE FILING OF A RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

This communication is submitted preliminary to the issuance of a further Official Action in the above-entitled application.

The Commissioner is hereby also authorized to charge any fees which may be required during the pendency of this application, including any patent application processing fees under 37 C.F.R. 1.17, and any filing fees under 37 C.F.R. 1.16, including presentation of extra claims, or credit any overpayment to Deposit Account No: 06-0502.

Please amend the above-entitled application as follows:

**AMENDMENTS TO THE CLAIMS WITH MARKINGS TO SHOW CHANGES
MADE, AND LISTING OF ALL CLAIMS WITH PROPER IDENTIFIERS**

1. (Currently amended) A wire cloth, comprising metallic warp wires and metallic weft wires interwoven with one another, wherein the weft wires have each a diameter which is equal or greater than a clear shortest distance between two neighboring warp wires, and wherein the weft wires are constricted in crossing regions with the warp wires, using a cold-forming technique.
2. (Original) The wire cloth of claim 1, wherein the weft wires are constricted in the crossing regions to or approximately to a clear distance measure of the warp wires.
3. (Original) The wire cloth of claim 1, wherein the weft wires have each a diameter in the range from 1/100 mm to 1/10 mm.
4. (Original) The wire cloth of claim 1, wherein the weft wires are constricted in the crossing regions with the warp wires by 10 % of their original diameter.
5. (Original) The wire cloth of claim 1, wherein the warp wires have a diameter which is greater than a diameter of the weft wires so as to provide a filter cloth.
6. (Original) The wire cloth of claim 1, wherein the diameter of the warp wires ranges between 0.03 mm to 0.125 mm.
7. (Original) The wire cloth of claim 1, wherein the diameter of the weft wires ranges between 0.02 mm to 0.1 mm.

8. (Original) The wire cloth of claim 1, wherein the warp wires have a mesh count between 180 to 500 wires per inch.
9. (Original) The wire cloth of claim 1, wherein the weft wires have a mesh count between 500 to 5000 wires per inch.

10.-11. (Canceled)

REMARKS

This Amendment is submitted preliminary to the issuance of an Office Action in the present application and in response to the Official Action of February 21, 2006.

Record is also made of a telephonic interview between applicant's representative and the Examiner which took place on April 24, 2006. The Examiner is thanked for his help and assistance as well as for the courtesies extended to Counsel at that time. During the course of the interview, the present application was extensively discussed in light of the final rejection of claims 1 to 9. More specifically, applicant's representative pointed out that the prior art of record fails to teach or suggest the relationship between the clear distance between two neighboring warp wires and the diameter of the weft wires.

The Examiner agreed that the subject matter of claim 1 appears to be distinguishable over the prior art of record, however, the reference to the term "clear" as literal translation of the German word "lichte" renders the meaning of the claim ambiguous and should be clarified. Although applicant's representative noted that the term "clear distance" in light of the instant specification is clear and definite, it has been agreed to change the term "clear" to --shortest--.

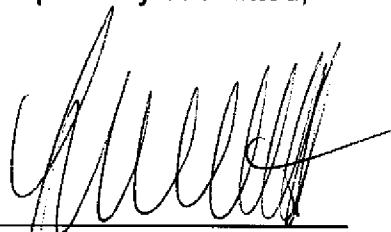
The Examiner further noted that an updated search is needed to make a final determination about patentability of claim 1 and all the claims ultimately dependent on claim 1.

As a result of the interview, applicant now submits the amendment to claim 1, which is drawn up in accordance with the agreement at the interview so as to overcome the rejection to the claims as set forth in the Examiner's Official Action of February 21, 2006.

In view of the above, each of the presently pending claims in this application is considered patentably differentiated over the prior art of record and believed to be in immediate conditions for allowance. Reconsideration and allowance of the present application are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: May 18, 2006
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212) 244-5500
HMF:af